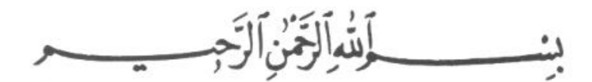
مكانة المرأة في الاسلام

The Status of WOMAN In Islam

By
Dr. Jamal A. Badawi

The Muslim Students' Association of
the U.S.& Canada



IN THE NAME OF ALLAH
THE MERCIFUL THE COMPASSIONATE



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OF THE UNITED STATES AND CANADA

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PREFACE

Family, society and ultimately the whole of mankind is treated by Islam on an ethical basis. Differentiation in sex is neither a credit nor a drawback for the sexes. Therefore, when we talk about status of woman in Islam it should not lead us to think that Islam has no specific guidelines, limitations, responsibilities and obligations for men. What makes one valuable and respectable in the eyes of Allah, the Creator of mankind and the universe, is neither one's prosperity, position, intelligence, physical strength nor beauty, but only one's Allah-consciousness and awareness *(taqwa).* However, since in the Western culture and in cultures influenced by it, there exists a disparity between men and women there is more need for stating Islam's position on important issues in a clear way.

Dr. Jamal Badawi's essay, The Status of Women in Islam, was originally published in our quarterly journal, Al-Ittihad, Vol. 8, No. 2, Sha'ban 1391/Sept 1971. Since then it has been one of our most-demanded publications. We thank Br. Jamal for permitting us to reprint his essay. We hope it will clarify many of the misconceptions.

Anis Ahmad, Director
Dept. of Education and Training
MSA of U.S. and Canada
P.O. Box 38
Plainfield, IN 46168 USA

Jumada al Thani 1400
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I. INTRODUCTION

The status of women in society is neither a new issue nor is it a fully settled one.

The position of Islam on this issue has been among the subjects presented to the Western reader with the least objectivity.

This paper is intended to provide a brief and authentic exposition of what Islam stands for in this regard. The teachings of Islam are based essentially on the Qur'an (God's revelation) and Hadeeth (elaborations by Prophet Muhammad).

The Qur'an and the Hadeeth, properly and unbiasedly understood, provide the basic source of authentication for any position or view which is attributed to Islam.

The paper starts with a brief survey of the status of women in the pre-Islamic era. It then focuses on these major questions:

What is the position of Islam regarding the status of woman in society? How similar or different is that position from "the spirit of the time," which was dominant when Islam was revealed? How would this compare with the "rights" which were finally gained by woman in recent decades?

II. HISTORICAL PERSPECTIVES

One major objective of this paper is to provide a fair evaluation of what Islam contributed (or failed to contri-

bute) toward the restoration of woman's dignity and rights. In order to achieve this objective, it may be useful to review briefly how women were treated in general in previous civilizations and religions, especially those which preceded Islam (Pre-610 C.E.).[1] Part of the information provided here, however, describes the status of woman as late as the nineteenth century, more than twelve centuries after Islam.

Women in Ancient Civilization

Describing the status of the Indian woman, *Encyclopedia Britannica* states:

> In India, subjection was a cardinal principle. Day and night must women be held by their protectors in a state of dependence says Manu. The rule of inheritance was agnatic, that is descent traced through males to the exclusion of females.[2]

In Hindu scriptures, the description of a good wife is as follows: "a woman whose mind, speech and body are kept in subjection, acquires high renown in this world, and, in the next, the same abode with her husband."[3]

In Athens, women were not better off than either the Indian or the Roman women.

"Athenian women were always minors, subject to some male - to their father, to their brother, or to some of

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[1] "C.E." throughout the paper stands for Christian Era (A.D.).
[2] *The Encyclopedia Britannica*, 11th ed., 1911, Vol. 28, p. 782.
[3] In Mace, David and Vera, *Marriage East and West*. Dolphin Books, Doubleday and Co., Inc., N.Y., 1960.

their male kin."[4]

Her consent in marriage was not generally thought to be necessary and "she was obliged to submit to the wishes of her parents, and receive from them her husband and her lord, even though he were stranger to her."[5]

A Roman wife was described by an historian as: "a babe, a minor, a ward, a person incapable of doing or acting anything according to her own individual taste, a person continually under the tutelage and guardianship of her husband."[6]

In the *Encyclopedia Britannica*, we find a summary of the legal status of women in the Roman civilization:[7]

> In Roman Law a woman was even in historic times completely dependent. If married she and her property passed into the power of her husband . . . the wife was the purchased property of her husband, and like a slave acquired only for his benefit. A woman could not exercise any civil or public office . . . . . could not be a witness, surety, tutor, or curator; she could not adopt or be adopted, or make will or contract.

Among the Scandinavian races women were:

> under perpetual tutelage, whether married or unmarried. As late as the Code of Christian V, at the end of the 17th Century, it was enacted

[4] Allen, E.A., *History of Civilization*, Vol. 3, p. 444.

[5] Ibid., p. 443.

[6] Ibid., p. 550.

[7] *The Encyclopedia Britannica*, 11th ed., 1911, *op.cit.*, Vol. 28, p. 782.

> that if a woman married without the consent of her tutor he might have, if he wished, administration and usufruct of her goods during her life.[8]

According to the English Common Law:

> . . . all real property which a wife held at the time of a marriage became a possession of her husband. He was entitled to the rent from the land and to any profit which might be made from operating the estate during the joint life of the spouses. As time passed, the English courts devised means to forbid a husband's transferring real property without the consent of his wife, but he still retained the right to manage it and to receive the money which it produced. As to a wife's personal property, the husband's power was complete. He had the right to spend it as he saw fit.[9]

Only by the late nineteenth Century did the situation start to improve. "By a series of acts starting with the Married women's Property Act in 1870, amended in 1882 and 1887, married women achieved the right to own property and to enter contracts on a par with spinsters, widows, and divorcees."[10] As late as the Nineteenth Century an authority in ancient law, Sir Henry Maine, wrote: "No society which preserves any tincture of Christian institutions is likely to restore to married women the personal liberty conferred on them by the Middle Roman Law."[11]

In his essay *The Subjection of Women*, John Stuart

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[8]Ibid., p. 783.

[9]*Encyclopedia Americana* International(Edition), Vol. 29, p. 108.

[10]*Encyclopedia Britannica*, 1968, Vol. 23, p. 624.

[11]Quoted in Mace, *Marriage East and West*, *op.cit.*, p. 81.

Mill wrote:

> We are continually told that civilization and Christianity have restored to the woman her just rights. Meanwhile the wife is the actual bondservant of her husband; no less so, as far as the legal obligation goes, than slaves commonly so called.[12]

Before moving on to the Qur'anic decrees concerning the status of woman, a few Biblical decrees may shed more light on the subject, thus providing a better basis for an impartial evaluation. In the Mosaic Law, the wife was betrothed. Explaining this concept, the *Encyclopedia Biblica* states: "To betroth a wife to oneself meant simply to acquire possession of her by payment of the purchase money; the betrothed is a girl for whom the purchase money has been paid."[13] From the legal point of view, the consent of the girl was not necessary for the validation of her marriage. "The girl's consent is unnecessary and the need for it is nowhere suggested in the Law."[14]

As to the right of divorce, we read in the Encyclopedia Biblica: "The woman being man's property, his right to divorice her follows as a matter of course."[15] The right to divorce was held only by man. "In the Mosaic Law divorce was a privilege of the husband only . . . . . "[16]

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[12] Ibid., pp. 82-83.

[13] *Encyclopedia Biblica*, 1902, Vol. 3, p. 2942.

[14] Ibid., p. 2942.

[15] Ibid., p. 2947.

[16] *The Encyclopedia Britannica*, 11th ed., op.cit., p. 782.

It should be noted here that such interpretations by religious institutions do not necessarily conform to what the Muslim believes to be the original version of all revealed religions, which is believed to be essentially the same throughout history.

The position of the Christain Church until recent centuries seems to have been influenced by both the Mosaic Law and by the streams of thought that were dominant in its contemporary cultures. In their book, *Marriage East and West,* David and Vera Mace wrote: [17]

> Let no one suppose, either, that our Christian heritage is free of such slighting judgements. It would be hard to find anywhere a collection of more degrading references to the female sex than the early Church Fathers provide. Lecky, the famous historian, speaks of (these fierce incentives which form so conspicuous and so grotesque a portion of the writing of the Fathers . . . woman was represented as the door of hell, as the mother of all human ills. She should be ashamed at the very thought that she is a woman. She should live in continual penance on account of the curses she has brought upon the world. She should be ashamed of her dress, for it is the memorial of her fall. She should be especially ashamed of her beauty, for it is the most potent instrument of the devil). One of the most scathing of these attacks on woman is that of Tertullian: Do you know that you are each an Eve? The sentence of God on this sex of yours lives in this age: the guilt must of necessity live too. You are the devil's gateway: you are the unsealer of that forbidden tree; you are the first deserters of the divine law; you are she who persuades him whom the devil was not valiant enough to attack. You destroyed so easily God's image, man. On account of your desert -

[17] Mace, *Marriage East and West, op.cit.*, pp. 80-81.

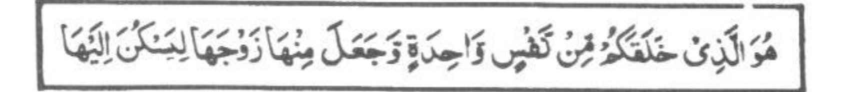
that is death - even the Son of God had to die). Not only did the church affirm the inferior status of woman, it deprived her of legal rights she had previously enjoyed.

III WOMAN IN ISLAM

In the midst of the darkness that engulfed the world, the divine revelation echoed in the wide desert of Arabia with a fresh, noble, and universal message to humanity: "O Mankind, keep your duty to your Lord who created you from a single soul and from it created its mate (of same kind) and from them twain has spread a multitude of men and women" (Qur'an 4:1).[18]

A scholar who pondered about this verse states: "It is believed that there is no text, old or new, that deals with the humanity of the woman from all aspects with such amazing brevity, eloquence, depth, and originality as this divine decree."[19]

Stressing this noble and natural conception, the Qur'an states:

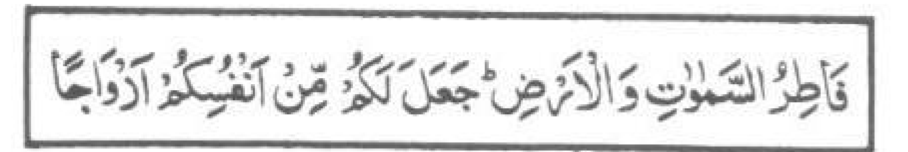


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[18] "From it" here refers to the kind, i.e. "from the same kind, or of like nature, God created its mate." There is no trace in the Qur'an to a parallel of the Biblical concept that Eve was created from one of Adam's ribs." See Yusuf Ali, *The Holy Qur'an*, note No. 504.

[19] El-Khouly, Al-Bahiy, "Min Usus Kadiyat Almar'ah," *Al-Waa'y Al-Islami*, Ministry of Wakf, Kuwait, Vol. 3, No. 27, June 9, 1967, p. 17. Translated by the writer.

He (God) it is who did create you from a single soul and therefrom did create his mate, that he might dwell with her (in love) . . . . (Qur'an 7:189)



The Creator of heavens and earth: He has made for you pairs from among yourselves . . . Qur'an 42:11

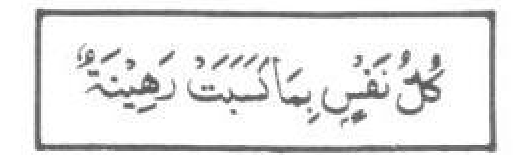
وَاللّٰهُ جَعَلَ لَكُمْ مِّنْ اَنْفُسِكُمْ اَزْوَاجًا وَّجَعَلَ لَكُمْ
مِّنْ اَزْوَاجِكُمْ بَنِيْنَ وَحَفَدَةً وَّرَزَقَكُمْ مِّنَ
الطَّيِّبٰتِ ۭ اَفَبِالْبَاطِلِ يُؤْمِنُوْنَ وَبِنِعْمَتِ اللّٰهِ
هُمْ يَكْفُرُوْنَ ۝٧٢

And Allah has given you mates of your own nature, and has given you from your mates, children and grandchildren, and has made provision of good things for you. Is it then in vanity that they believe and in the grace of God that they disbelieve? Qur'an 16:72

The rest of this paper outlines the position of Islam regarding the status of woman in society from its various aspects - spiritually, socially, economically and politically.

1. The Spiritual Aspect

The Qur'an provides clear-cut evidence that woman is completely equated with man in the sight of God in terms of her rights and responsibilities. The Qur'an states:



"Every soul will be (held) in pledge for its deeds" (Qur'an 74:38). It also states:

فَاسْتَجَابَ لَهُمْ رَبُّهُمْ أَنِّي لَا أُضِيعُ عَمَلَ عَامِلٍ مِنْكُمْ مِنْ
ذَكَرٍ أَوْ أُنْثَىٰ بَعْضُكُمْ مِنْ بَعْضٍ

. . . So their Lord accepted their prayers, (saying): I will not suffer to be lost the work of any of you whether male or female. You proceed one from another . . . (Qur'an 3:195).

مَنْ عَمِلَ صَالِحًا مِنْ ذَكَرٍ أَوْ أُنْثَىٰ وَهُوَ مُؤْمِنٌ فَلَنُحْيِيَنَّهُ حَيَاةً
طَيِّبَةً وَلَنَجْزِيَنَّهُمْ أَجْرَهُمْ بِأَحْسَنِ مَا كَانُوا يَعْمَلُونَ ﴿٩٧﴾

Whoever works righteousness, man or woman, and has faith, verily to him will We give a new life that is good and pure, and We will bestow on such their reward according to the their actions. (Qur'an 16:97, see also 4:124).

Woman according to the Qur'an is not blamed for Adam's first mistake. Both were jointly wrong in their disobedience to God, both repented, and both were forgiven. (Qur'an 2:36, 7:20 - 24). In one verse in fact (20:121), Adam specifically, was blamed.

In terms of religious obligations, such as the Daily Prayers, Fasting, Poor-due, and Pilgrimage, woman is no different from man. In some cases indeed, woman has certain advantages over man. For example, the woman is exempted from the daily prayers and from fasting during

her menstrual periods and forty days after childbirth. She is also exempted from fasting during her pregnancy and when she is nursing her baby if there is any threat to her health or her baby's. If the missed fasting is obligatory (during the month of Ramadan), she can make up for the missed days whenever she can. She does not have to make up for the prayers missed for any of the above reasons. Although women can and did go into the mosque during the days of the prophet and thereafter attendance at the Friday congregational prayers is optional for them while it is mandatory for men (on Friday).

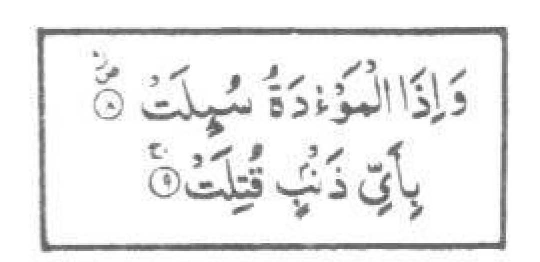
This is clearly a tender touch of the Islamic teachings for they are considerate of the fact that a woman may be nursing her baby or caring for him, and thus may be unable to go out to the mosque at the time of the prayers. They also take into account the physiological and psychological changes associated with her natural female functions.

2. The Social Aspect

a) As a child and an adolescent

Despite the social acceptance of female infanticide among some Arabian tribes, the Qur'an forbade this custom, and considered it a crime like any other murder.

"And when the female (infant) buried alive - is questioned, for what crime she was killed." (Qur'an 81:8-9).



Criticizing the attitudes of such parents who reject their female children, the Qur'an states:

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ﴿٥٨﴾
يَتَوَارَىٰ مِنَ الْقَوْمِ مِن سُوءِ مَا بُشِّرَ بِهِ ۚ أَيُمْسِكُهُ عَلَىٰ
هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ ۗ أَلَا سَاءَ مَا يَحْكُمُونَ ﴿٥٩﴾

When news is brought to one of them, of (the Birth of) a female (child), his face darkens and he is filled with inward grief! With shame does he hide himself from his people because of the bad news he has had! Shall he retain her on (sufferance) and contempt, or bury her in the dust? Ah! What an evil (choice) they decide on? (Qur'an 16: 58-59).

Far from saving the girl's life so that she may later suffer injustice and inequality, Islam requires kind and just treatment for her. Among the sayings of Prophet Muhammad (P.) in this regard are the following:

Whosoever has a daughter and he does not bury her alive, does not insult her, and does not favor his son over her, God will enter him into Paradise. (Ibn Hanbal, No. 1957).

Whosoever supports two daughters till they mature, he and I will come in the day of judgement as this (and he pointed with his two fingers held together).

A similar Hadeeth deals in like manner with one who supports two sisters. (Ibn-Hanbal, No. 2104).

The right of females to seek knowledge is not dif-

ferent from that of males. Prophet Muhammad (P.) said: "Seeking knowledge is mandatory for every Muslim". (Al-Bayhaqi). Muslim as used here including both males and females.[20]

b) As a wife:

The Qur'an clearly indicates that marriage is sharing between the two halves of the society, and that its objectives, beside perpetuating human life, are emotional well-being and spiritual harmony. Its bases are love and mercy.

Among the most impressive verses in the Qur'an about marriage is the following.

وَمِنْ آيَاتِهِ أَنْ خَلَقَ لَكُمْ مِنْ أَنْفُسِكُمْ أَزْوَاجًا لِتَسْكُنُوا إِلَيْهَا وَجَعَلَ
بَيْنَكُمْ مَوَدَّةً وَرَحْمَةً ۚ إِنَّ فِي ذَٰلِكَ لَآيَاتٍ لِقَوْمٍ يَتَفَكَّرُونَ ۝

"And among His signs is this: That He created mates for you from yourselves that you may find rest, peace of mind in them, and He ordained between you love and mercy. Lo, herein indeed are signs for people who reflect." (Qur'an 30:21).

According to Islamic Law, women cannot be forced to marry anyone without their consent.

Ibn Abbas reported that a girl came to the Messenger of God, Muhammad (P.), and she reported that her father

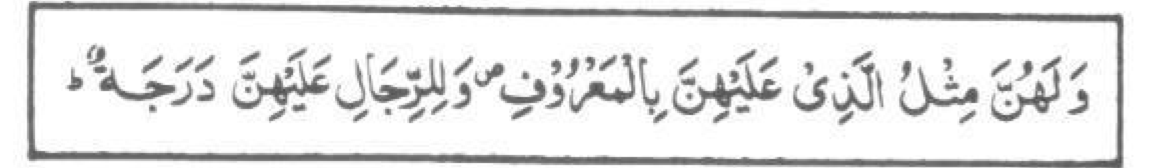
[20] Some less authentic versions add "male and female." The meaning, however, is sound etomologically even as it is consistent with the over-all nature of Islamic duties in applying equally to males and females unless special exemptions are specified.

had forced her to marry without her consent. The Messenger of God gave her the choice . . . (between accepting the marriage or invalidating it). (Ibn Hanbal No. 2469). In another version, the girl said: "Actually I accept this marriage but I wanted to let women know that parents have no right (to force a husband on them)" (Ibn-Maja, No. 1873).

Besides all other provisions for her protection at the time of marriage, it was specifically decreed that woman has the full right to her *Mahr*, a marriage gift, which is presented to her by her husband and is included in the nuptial contract, and that such ownership does not transfer to her father or husband. The concept of Mahr in Islam is neither an actual or symbolic price for the woman, as was the case in certain cultures, but rather it is a gift symbolizing love and affection.

The *rules for married life* in Islam are clear and in harmony with upright human nature. In consideration of the physiological and psychological make-up of man and woman, both have equal rights and claims on one another, except for one responsibility, that of leadership. This is a matter which is natural in any collective life and which is consistent with the nature of man.

The Qur'an thus states:



"And they (women) have rights similar to those (of men) over them, and men are a degree above them." (Qur'an 2:228).

Such degree is *Quiwama* (maintenance and protection). This refers to that natural difference between the

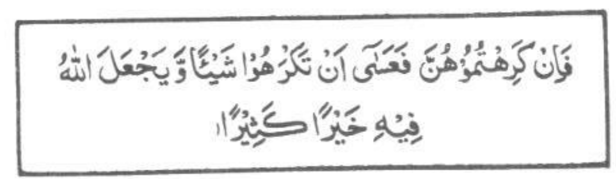
sexes which entitles the weaker sex to protection. It implies no superiority or advantage before the law. Yet, man's role of leadership in relation to his family does not mean the husband's dictatorship over his wife. Islam emphasizes the importance of taking counsel and mutual agreement in family decisions. The Qur'an gives us an example:

فَإِنْ أَرَادَا فِصَالًا عَن تَرَاضٍ مِّنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا

". . . If they (husband wife) desire to wean the child by mutual consent and (after) consultation, there is no blame on them . . . " (Qur'an 2:233).

Over and above her basic rights as a wife comes the right which is emphasized by the Qur'an and is strongly recommended by the Prophet (P); kind treatment and companionship.

The Qur'an states:



" . . . But consort with them in kindness, for if you hate them it may happen that you hate a thing wherein God has placed much good." (Qur'an 4:19).

Prophet Muhammad (P) said:

> The best of you is the best to his family and
> I am the best among you to my family.
>
> The most perfect believers are the best in conduct and best of you are those who are best

to their wives. (Ibn-Hanbal, No. 7396)

Behold, many women came to Muhammad's wives complaining against their husbands (because they beat them) - - those (husbands) are not the best of you.

As the woman's right to decide about her marriage is recognized, so also her right to seek an end for an unsuccessful marriage is recognized. To provide for the stability of the family, however, and in order to protect it from hasty decisions under temporary emotional stress, certain steps and waiting periods should be observed by men and women seeking divorce. Considering the relatively more emotional nature of women, a good reason for asking for divorce should be brought before the judge. Like the man, however, the woman can divorce her husband without resorting to the court, if the nuptial contract allows that.

More specifically, some aspects of Islamic Law concerning marriage and divorce are interesting and are worthy of separate treatment.[21]

When the continuation of the marriage relationship is

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[21]A separate paper clarifying the position of Islam with regard to polygamy (polygyny) is available from The M.S.A. Islamic Book Service, P.O. Box 38, Plainfield, IN 46168. It is sufficient to say here that polygamy existed in almost all nations and was even sanctioned by Judaism and Christianity until recent centuries. The Qur'an is the only revealed scripture that explicitly limited polygamy and discouraged its practice by various stringent conditions. One reason for not categorically forbidding polygamy is that in different places at different times, there may exist individual or social exigencies which make polygamy a better solution than either divorce or a hypocritical monogamy while indulging in all types of illicit relations.

impossible for any reason, men are still taught to seek a gracious end for it.

The Qur'an states about such cases:

وَإِذَا طَلَّقْتُمُ النِّسَاءَ فَبَلَغْنَ أَجَلَهُنَّ فَأَمْسِكُوهُنَّ بِمَعْرُوفٍ أَوْ سَرِّحُوهُنَّ
بِمَعْرُوفٍ ۚ وَلَا تُمْسِكُوهُنَّ ضِرَارًا لِتَعْتَدُوا ۚ

When you divorce women, and they reach their prescribed term, then retain them in kindness and retain them not for injury so that you transgress (the limits). (Qur'an 2:231). (See also Qur'an 2:229 and 33:49).

c) As a mother:

Islam considered kindness to parents next to the worship of God.

وَوَصَّيْنَا الْإِنْسَانَ بِوَالِدَيْهِ حَمَلَتْهُ أُمُّهُ وَهْنًا عَلَىٰ وَهْنٍ

"And we have enjoined upon man (to be good) to his parents: His mother bears him in weakness upon weakness..." (Qur'an 31:14) (See also Qur'an 46:15, 29:8).

Moreover, the Qur'an has a special recommendation **for the** good treatment of mothers:

وَقَضَىٰ رَبُّكَ أَلَّا تَعْبُدُوا إِلَّا إِيَّاهُ وَبِالْوَالِدَيْنِ إِحْسَانًا ۚ

"Your Lord has decreed that you worship none save Him, and that you be kind to your parents. . ." (Qur'an 17:23).

A man came to Prophet Muhammad (P) asking:

> O Messenger of God, who among the people is the most worthy of my good company? The Prophet (P) said, Your mother. The man said then who else: The Prophet (P) said, Your mother. The man asked, Then who else? Only then did the Propeht (P) say, Your father. (Al-Bukhari and Muslim).

A famous saying of The Prophet is "Paradise is at the feet of mothers." (In Al'Nisa'I, Ibn-Majah, Ahmad).

"It is the generous (in character) who is good to women, and it is the wicked who insults them."

3. The Economic Aspect

Islam decreed a right of which woman was deprived both before Islam and after it (even as late as this century),[22] the right of independent ownership. According to Islamic Law, woman's right to her money, real estate, or other properties is fully acknowledged. This right undergoes no change whether she is single or married. She retains her full rights to buy, sell, mortgage or lease any or all her properties. It is nowhere suggested in the Law that a woman is a minor simply because she is a female. It is also noteworthy that such right applies to her properties before marriage as well as to whatever she acquires thereafter.

With regard to the woman's right to seek employment it should be stated first that Islam regards her role in society as a mother and a wife as the most sacred and

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[22]For example, it was not until 1938 that the French Law was amended so as to recognize the eligibility of women to contract. A married woman, however, was still required to secure her husband's permission before she could dispense with her private property. See for example Al-Sibaa'i, op.cit., pp. 31-37.

essential one. Neither maids nor babysitters can possibly take the mother's place as the educator of an upright, complex-free, and carefully-reared children. Such a noble and vital role, which largely shapes the future of nations, cannot be regarded as "idleness".

However, there is no decree in Islam which forbids woman from seeking employment whenever there is a necessity for it, especially in positions which fit her nature and in which society needs her most. Examples of these professions are nursing, teaching (especially for children), and medicine. Moreover, there is no restriction on benefitting from woman's exceptional talent in any field. Even for the position of a judge, where there may be a tendency to doubt the woman's fitness for the post due to her more emotional nature, we find early Muslim scholars such as Abu-Hanifa and Al-Tabary holding there is nothing wrong with it. In addition, Islam restored to woman the right of inheritance, after she herself was an object of inheritance in some cultures. Her share is completely hers and no one can make any claim on it, including her father and her husband.

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا
تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا ⑦

"Unto men (of the family) belongs a share of that which parents and near kindred leave, and unto women a share of that which parents and near kindred leave, whether it be a little or much - a determinate share." (Qur'an 4:7).

Her share in most cases is one-half the man's share, with no implication that she is worth half a man! It would seem grossly inconsistent after the overwhelming evidence of woman's equitable treatment in Islam, which was dis-

cussed in the preceding pages, to make such an inference. This variation in inheritance rights is only consistent with the variations in financial responsibilities of man and woman according to the Islamic Law. Man in Islam is fully responsible for the maintenance of his wife, his children, and in some cases of his needy relatives, especially the females. This responsibility is neither waived nor reduced because of his wife's wealth or because of her access to any personal income gained from work, rent, profit, or any other legal means.

Woman, on the other hand, is far more secure financially and is far less burdened with any claims on her possessions. Her possessions before marriage do not transfer to her husband and she even keeps her maiden name. She has no obligation to spend on her family out of such properties or out of her income after marriage. She is entitled to the "Mahr" which she takes from her husband at the time of marriage. If she is divorced, she may get an alimony from her ex-husband.

An examination of the inheritance law within the overall framework of the Islamic Law reveals not only justice but also an abundance of compassion for woman.[23]

4. The Political Aspect

Any fair investigation of the teachings of Islam or into the history of the Islamic civilization will surely find a clear evidence of woman's equality with man in what we

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[23]For a good discussion of this point, also for the acceptance of women's witness according to Islamic Law, see Abd al-Ati, Hammudah, *Islam in Focus*, pp. 117-118 and Al-Sibaa'i, Mustafa, *Al-Marah Baynal Fiqh Walqanoon* (in Arabic) pp. 31-37.

call today "political rights".

This includes the right of election as well as the nomination to political offices. It also includes woman's right to participate in public affairs. Both in the Qur'an and in Islamic history we find examples of women who participated in serious discussions and argued even with the Prophet (P) himself, (see Qur'an 58: 1-4 and 60: 10-12).

During the Caliphate of Omar Ibn al-Khattab, a woman argued with him in the mosque, proved her point, and caused him to declare in the presence of people: "A woman is right and Omar is wrong."

Although not mentioned in the Qur'an, one Hadeeth of the Prophet is interpreted to make woman ineligible for the position of head of state. The Hadeeth referred to is roughly translated: "A people will not prosper if they let a woman be their leader." This limitation, however, has nothing to do with the dignity of woman or with her rights. It is rather, related to the natural differences in the biological and psychological make-up of men and women.

According to Islam, the head of the state is no mere figurehead. He leads people in the prayers, especially on Fridays and festivities; he is continuously engaged in the process of decision-making pertaining to the security and well-being of his people. This demanding position, or any similar one, such as the Commander of the Army, is generally inconsistent with the physiological and psychological make-up of woman in general. It is a medical fact that during their monthly periods and during their pregnancies, women undergo various physiological and psychological changes. Such changes may occur during an emergency situation, thus affecting her decision, without condering the excessive strain which is produced. Moreover,

some decisions require a maximum of rationality and a minimum of emotionality - a requirement which does not coincide with the instinctive nature of women.

Even in modern times, and in the most developed countries, it is rare to find a woman in the position of a head of state acting as more than a figurehead, a woman commander of the armed services, or even a proportionate number of women representatives in parliaments, or similar bodies. One can not possibly ascribe this to backwardness of various nations or to any constitutional limitation on woman's right to be in such a position as a head of state or as a member of the parliament. It is more logical to explain the present situation in terms of the natural and indisputable differences between man and woman, a difference which does not imply any "supremacy" of one over the other. The difference implies rather the "complementary" roles of both the sexes in life.

IV CONCLUSION

The first part of this paper deals briefly with the position of various religions and cultures on the issue under investigation. Part of this exposition extends to cover the general trend as late as the nineteenth century, nearly 1300 years after the Qur'an set forth the Islamic teachings

In the second part of the paper, the status of women in Islam is briefly discussed. Emphasis in this part is placed on the original and authentic sources of Islam. This represents the standard according to which degree of of adherence of Muslims can be judged. It is also a fact that during the downward cycle of Islamic Civilization, such teachings were not strictly adhered to by many people who profess to be Muslims.

Such deviations were unfairly exaggerated by some writers, and the worst of this, were superficially taken to represent the teachings of "Islam" to the Western reader without taking the trouble to make any original and unbiased study of the authentic sources of these teachings.

Even with such deviations three facts are worth mentioning:

1. The history of Muslims is rich with women of great achievements in all walks of life from as early as the seventh century (B.C.)[24]

2. It is impossible for anyone to justify any mistreatment of woman by any decree of rule embodied in the Islamic Law, nor could anyone dare to cancel, reduce, or distort the clear-cut legal rights of women given in Islamic Law.

3. Throughout history, the reputation, chastity and maternal role of Muslim women were objects of admiration by impartial observers.

It is also worthwhile to state that the status which women reached during the present era was not achieved due to the kindness of men or due to natural progress. It was rather achieved through a long struggle and sacrifice on woman's part and only when society needed her contribution and work, more especially during the two world wars, and due to the escalation of technological change.

In the case of Islam such compassionate and dignified

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[24]See for example, Nadvi, A. Sulaiman, *Heroic Deeds of Muslim Women*, Islamic Publication Ltd., Lahore, Pakistan, also Siddiqui, *Women in Islam*, Institute of Islamic Culture, Lahore, Pakistan, 1959.

status was decreed, not because it reflects the environment of the seventh century, nor under the threat or pressure of women and their organizations, but rather because of its intrinsic truthfulness.

If this indicates anything, it would demonstrate the divine origin of the Qur'an and the truthfulness of the message of Islam, which, unlike human philosophies and ideologies, was far from proceeding from its human environment, a message which established such humane principles as neither grew obsolete during the course of time and after these many centuries, nor can become obsolete in the future. After all, this is the message of the All-Wise and All-Knowing God whose wisdom and knowledge are far beyond the ultimate in human thought and progress.

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